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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

2:11-CR-434-LDG-(PAL)

11 VLADIMIR BUDESTEAN,)

12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on November 25, 2013, defendant VLADIMIR BUDESTEAN pled guilty
15 to Count Two of a Four-Count Superseding Criminal Indictment charging him with Conspiracy to
16 Commit Wire Fraud in violation of Title 18, United States Code, Sections 1343 and 1349. Superseding
17 Criminal Indictment, ECF No. 243, Change of Plea Minutes, ECF No. 471; Plea Agreement, ECF No.
18 456.

19 This Court find defendant VLADIMIR BUDESTEAN agreed to the forfeiture of the property
20 set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Indictment.
21 Superseding Criminal Indictment, ECF No. 243, Change of Plea Minutes, ECF No. 471; Plea
22 Agreement, ECF No. 456.

23 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
24 America has shown the requisite nexus between property set forth in the Plea Agreement and the
25 Forfeiture Allegation of the Superseding Criminal Indictment and the offense to which defendant

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VLADIMIR BUDESTEAN pled guilty. Superseding Criminal Indictment, ECF No. 243, Change of Plea Minutes, ECF No. 471; Plea Agreement, ECF No. 456.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(p):

1. \$350.00 (received from Vladimir Budestean);
2. \$200.00 (received from Vladimir Budestean);
3. \$3.04 (recovered from 2002 Mercedes CLK 55, Budestean);
4. \$2,155.00 seized during search of 4225 Dover Place, Las Vegas, NV residence of Budestean and Nedyalkova);
5. Currency on Eugeni Stoytchev at time of arrest: \$2,512.00 United States Currency; 1-\$0.50 euro coin (valued at \$0.65 U.S.); 1-\$10 Bulgarian Leva (valued at \$6.68 U.S.); 1-\$2 Bulgarian Leva (valued at \$1.34 U.S.); 4-\$1 Bulgarian Leva (valued at \$3.67 U.S.); 1-\$0.50 Bulgarian Stotinki (valued at \$0.33 U.S.); 3-\$0.20 Bulgarian Stotinki (valued at \$.40 U.S.); 10-10 denomination Bulgarian Stotinki (valued at \$0.67 U.S.);
6. 4225 Dover Place, Las Vegas, Nevada (residential home, Clark County Parcel No. 139-31-411-109); Owners: Vladimir Budestean and Mariya Ytmkerova-Nedyalkova;
7. Samsung Television (Serial Number LN46B55OK1F w/stand, power cord, remote and cables) (consent search of Oleh Rymarchuk's residence);
8. Laptop Macbook Air (serial #C02GMBLDPDJWV) (consent search of Oleh Rymarchuk's residence);
9. Laptop Macbook Pro (serial #C02GD1VPDV7L) (consent search of Oleh Rymarohuk's residence);

...

1 10. Powershot A603 w/case (Serial #4136204571) (consent search of Oleh
2 Rymarchuk's residence);

3 11. Apple Time Capsule (1TB) w/cord (Serial #6F94201GACD) (consent search of
4 Oleh Rymarchuk's residence);

5 12. Red Cobra Model #CA-380 .380 caliber pistol (Serial #CP042369 (seized from
6 Bertly Ellazar's residence); and

7 13. An in personam criminal forfeiture money judgment of \$3,000,000.00 in United
8 States Currency

9 (all of which constitutes "property").

10 This Court finds the United States of America is now entitled to, and should, reduce the
11 aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
13 United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
15 VLADIMIR BUDESTEAN in the aforementioned property is forfeited and is vested in the United
16 States of America and shall be safely held by the United States of America until further order of the
17 Court.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
19 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
20 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
21 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
22 the name and contact information for the government attorney to be served with the petition,
23 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
25 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
26 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the

1 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
2 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the
3 petitioner's right, title, or interest in the forfeited property and any additional facts supporting the
4 petitioner's petition and the relief sought.

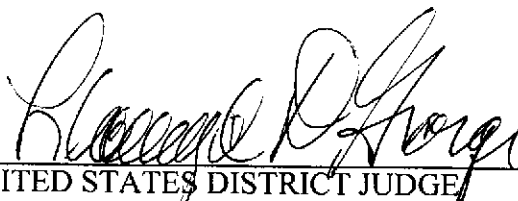
5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
6 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
8 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
9 following address at the time of filing:

10 Michael A. Humphreys
11 Assistant United States Attorney
12 Daniel D. Hollingsworth
13 Assistant United States Attorney
14 Lloyd D. George United States Courthouse
15 333 Las Vegas Boulevard South, Suite 5000
16 Las Vegas, Nevada 89101.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
18 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
19 following publication of notice of seizure and intent to administratively forfeit the above-described
20 property.

21 DATED this 25th day of November, 2013.

22 
23 UNITED STATES DISTRICT JUDGE
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